

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of JAVONNE ANTHONY GIBBS,  
Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

EVONE TILLMAN,

Respondent-Appellant.

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UNPUBLISHED

August 17, 2004

No. 253237

Berrien Circuit Court

Family Division

LC No. 03-000110-NA

Before: Hoekstra, P.J., and Cooper and Kelly, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g), (i), (j) and (l). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that at least one statutory ground for termination had been proved by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000). Two of the child's siblings had become court wards as a result of neglect proceedings instituted under MCL 712A.2(b), which proceedings led to the eventual termination of respondent's parental rights. Further, the trial court's finding regarding the child's best interests was not clearly erroneous. *Trejo, supra*; MCL 712A.19b(5). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra*.

Petitioner was not required to prove that respondent would neglect the child for the long-term future as held in *Fritts v Krugh*, 354 Mich 97, 114; 92 NW2d 604 (1958), overruled on other grounds by *In re Hatcher*, 443 Mich 426, 444; 505 NW2d 834 (1993). That case predates the enactment of section 19b(3), which sets forth the current criteria for termination.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Jessica R. Cooper

/s/ Kirsten Frank Kelly